

## Forest Service, USDA

## § 218.11

(2) The proposed project is not subject to the objection procedures of this subpart (§§ 218.3, 218.4).

(3) The individual or organization did not submit written comments during scoping or other opportunity for public comment (§ 218.7(a)).

(4) The objection does not provide sufficient information as required by § 218.7(b) through (d) for the reviewing officer to review.

(5) The objector withdraws the objection.

(6) An objector's identity is not provided or cannot be determined from the signature (written or electronically scanned) and a reasonable means of contact is not provided (§ 218.8(c)(2)).

(7) The objection is illegible for any reason, including submissions in an electronic format different from that specified in the legal notice.

(b) The reviewing officer must give written notice to the objector and the responsible official when an objection is set aside from review and must state the reasons for not reviewing the objection. If the objection is set aside from review for reasons of illegibility or lack of a means of contact, the reasons must be documented in the project record.

### § 218.10 Objection time periods and process.

(a) *Time to file an objection.* Written objections, including any attachments, must be filed with the reviewing officer within 30 days following the publication date of the legal notice of the EA or final EIS in the newspaper of record or the publication date of the notice in the FEDERAL REGISTER when the Chief is the responsible official (§ 218.5(c)). It is the responsibility of objectors to ensure that their objection is received in a timely manner.

(b) *Computation of time periods.* (1) All time periods are computed using calendar days, including Saturdays, Sundays, and Federal holidays. However, when the time period expires on a Saturday, Sunday, or Federal holiday, the time is extended to the end of the next Federal working day as stated in the legal notice or to the end of the calendar day (11:59 p.m. in the time zone of the receiving office) for objections

filed by electronic means such as e-mail or facsimile machine.

(2) The day after publication of the legal notice for this subpart of the EA or final EIS in the newspaper of record or FEDERAL REGISTER (§ 218.5(c)) is the first day of the objection-filing period.

(3) The publication date of the legal notice of the EA or final EIS in the newspaper of record or, when the Chief is the responsible official, the FEDERAL REGISTER, is the exclusive means for calculating the time to file an objection. Objectors may not rely on dates or timeframe information provided by any other source.

(c) *Evidence of timely filing.* It is the objector's responsibility to ensure timely filing of an objection. Timeliness must be determined by the following indicators:

(1) The date of the U.S. Postal Service postmark;

(2) The electronically generated date and time for e-mail and facsimiles;

(3) The shipping date for delivery by private carrier; or

(4) The official agency date stamp showing receipt of hand delivery.

(d) *Extensions.* Time extensions are not permitted.

(e) *Other timeframes.* The reviewing officer must issue a written response to the objector(s) concerning their objection(s) within 30 days following the end of the objection-filing period.

### § 218.11 Resolution of objections.

(a) *Meetings.* Prior to the issuance of the reviewing officer's written response, either the reviewing officer or the objector may request to meet to discuss issues raised in the objection and potential resolution. The reviewing officer has the discretion to determine whether or not adequate time remains in the review period to make a meeting with the objector practical." All meetings are open to the public.

(b) *Response to objections.* (1) A written response must set forth the reasons for the response, but need not be a point-by-point response and may contain instructions to the responsible official, if necessary. In cases involving more than one objection to a proposed authorized hazardous fuel reduction